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February 16, 2012

2/17/2012
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Via Hand Delivery

Hon. Denise L. Cote
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 1610
New York, New York 10007

MEMO ENDORSED

Re: Lunger v. Union of Orthodox Jewish
Congregations of America
11 Civ. 7552 (DLC)

Dear Judge Cote:

We are the attorneys for Plaintiff in the above-referenced action. We are writing to you jointly with Clifford R. Atlas, Jackson Lewis LLP, attorneys of record for Defendant in the above-referenced action, in response to the Order issued by the Court on February 14, 2012.

The Order incorrectly assumes that there has been a settlement of this matter. There has not. This action was filed by Plaintiff on or about October 25, 2011. No class has been certified. On January 10, 2012, Defendant filed its motion to dismiss this action pursuant to Fed. R. Civ. P. Rule 12(b)(6). Plaintiff filed her opposition to Defendant's motion to dismiss on January 31, 2012, and Defendant filed its reply papers on February 7, 2012.

On February 10, 2012, Plaintiff filed a Notice of Voluntary Dismissal Pursuant to F.R.C.P. 41(a)(1)(A)(i). This Notice of Dismissal was filed voluntarily by Plaintiff, totally of her own accord and not as part of any settlement of her claims. Pursuant to the Notice of Dismissal and Rule 41(a)(1)(A)(i), the dismissal is without prejudice.

Accordingly, the parties respectfully and jointly request that the Notice of Dismissal be entered. Thank you for your courtesy and attention to this matter.

*Granted. The Clerk of Court shall
close the case.
Denise Cote
Feb. 17, 2012*

Very truly yours,

PEDOWITZ & MEISTER

Arnold H. Pedowitz
Arnold H. Pedowitz

cc: Clifford R. Atlas